

REMARKS

Claims 1, 3-14, 21-26, 28, 29, and 70-71 are currently pending in the application.

The Office Action states that the prosecution history is unclear as to whether claim 25 is part of the elected invention, and if so, the Office Action requires that Applicant elect a species of pathogenic cell. Claim 25 was rejoined with the elected invention in an Office Action mailed on November 5, 2002. In response to the requirement for an election of a species of pathogenic cell, Applicant elects the species: **tumor cell**.

In addition, the Office Action states that there is some confusion as to the metes and bounds of the claimed invention. Applicant would like to thank Examiner Gambel for discussing the claims with Applicant's representative on October 11, 2006. As discussed, the pending claims relate to a composition comprising separate elements: (i) an cell comprising an antigen, and (ii) an exogenous engineered ligand for CD40 ("exogenous" is defined on page 10, lines 1-26; and "engineered" is defined on page 11, lines 7-8). The exogenous engineered ligand for CD40 includes a moiety heterologous to the ligand for CD40 that is able to bind to the cell when the exogenous engineered ligand for CD40 is mixed with the cell. The exogenous engineered ligand for CD40 is not expressed by the cell comprising the antigen. Applicant believes that this should obviate the ambiguity asserted in the Office Action.

Applicant submits that all claims are allowable as written and respectfully request early favorable action by the Examiner. If the Examiner believes that a telephone conversation with Applicant's attorney/agent would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned attorney/agent of record.

Respectfully submitted,

Date: October 12, 2006


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